



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 03-1010

Report No. SAT-00142

Thursday March 27, 2003

INTERNATIONAL BUREAU GRANTS CONSENT TO TRANSFER OF CONTROL OF SPACE STATION LICENSES

Pursuant to Section 310(d) of the Communications Act, 47 U.S.C. § 310(d), and Section 0.261 of the Commission's rules, 47 C.F.R. § 0.261, the International Bureau (Bureau) approves, subject to any conditions set forth below, the following applications requesting Commission consent to transfer control of space station licenses:

SAT-T/C-20021023-00221 P S2355 Wildblue Communications, Inc.

Transfer of Control

Grant of Authority

Effective Date: 03/27/2003

Current Licensee: KASTARCOM. WORLD SATELLITE, LLC

FROM: TELEVERDE COMMUNICATIONS CORPORATION

TO: Wildblue Communications, Inc.

No. of Station(s) listed:

Application for Authority to Transfer Control of Space Station Authorization (S2355) held by KaStarCom.World Satellite, LLC from Televerde Communications Corporation to Wildblue Communications, Inc. See Public Notice, Report No. SAT-00130, December 27, 2002. ("KaStarCom Application").

SAT-T/C-20021226-00241 E S2165 Wildblue Communications, Inc.

Transfer of Control

Grant of Authority

Effective Date: 03/27/2003

Current Licensee: WB HOLDINGS 1, LLC

FROM: WILDBLUE COMMUNICATIONS, INC.

TO: Wildblue Communications, Inc.

No. of Station(s) listed: 2

Application for Authority to Transfer Control of Space Station Authorization (S2211) held by WB Holdings 1, LLC from Wildblue Communications, Inc. to Wildblue Communications, Inc. See Public Notice, Report No. SAT-00131, January 10, 2003. ("WB Holdings Application").

No party has filed comments, petitions to deny, or any pleadings opposing the applications listed above, and our own review finds no issues that impede our grant. As described in the WB Holdings Application, in addition to its current investors, two new investors, Intelsat USA Sales Corp. and the National Rural Telecommunications Cooperative ("NRTC"), will hold interest in WildBlue Communications, Inc. We find that the change in ownership of WildBlue Communications, Inc. does not raise competitive concerns. Specifically, we note that NRTC offers Starband and DIRECWAY, Ku-band two-way high speed satellite services to its members, but does not have exclusive rights to offer either of those services in its members' territories. Thus, NRTC's investment in these Ka-band licenses raises no competitive concerns related to two-way high speed satellite Internet services in those geographic areas. Therefore, we find that the proposed transactions, as described in the applications, are in the public interest, convenience, and necessity, and grant authority to transfer control of the requested space station authorizations. See 47 U.S.C. § 310(d).

By this approval, the parties are authorized to proceed to the final stages of their respective transactions. Section 25.119(f) of the Commission's rules provides that assignments and transfers of control must be completed within 60 days from the date of authorization. 47 C.F.R. § 25.119(f). Within 30 days of consummation, licensees must notify the Commission by letter of the date of consummation. *Id.* We remind the parties that an assignment or a transfer shall not be considered complete until the underlying transaction closes and all conditions set forth in the grant documents, including this Public Notice and the application, are met. Upon receipt of the notification required by Section 25.119(f) of the Commission's rules, and satisfaction of all conditions, the Bureau will consider the transfer "complete."

Failure of the parties to comply with Section 25.119(f) of the Commission's rules, or any specific condition described above, will result in automatic cancellation of the Commission's approval, and dismissal of the underlying application.

Grant of the application(s) listed above is without prejudice to whatever enforcement action may be deemed appropriate arising from the facts discussed herein.

Grant of the application(s) listed above is without prejudice to any action that the Commission may take on related assignment or transfer of control applications or on any matter related to the above listed applications.

Notes:

KaStarCom Application: By letter dated March 7, 2003, KaStarCom. World Satellite, LLC surrendered its license for a Ka-band satellite at the 111° W.L. orbital location, thus that location is no longer subject to the immediate request for transfer of control. See letter from David M. Drucker, President, Televerde Communications Corp., to Marlene H. Dortch, Secretary, Federal Communications Commission, March 7, 2003.

WB Holdings Application: By letter dated February 24, 2003, the parties in this proceeding indicated that they no longer sought authority to transfer control of WB Holdings 1 LLC's license to launch and operate a Ka-band satellite system at the 73° W.L. orbital location (Call Sign S2165), which Wildblue Communications, Inc. (on behalf of its licensee subsidiary, WB Holdings 1 LLC) surrendered by letter dated January 31, 2003. See letter from David M. Brown, Vice President and General Counsel, Wildblue Communications, Inc. to Marlene H. Dortch, Secretary, Federal Communications Commission, February 24, 2003.

Grant of the application(s) listed above is also without prejudice to any action that the Commission may take on KaStarCom's pending application for modification of its construction commencement milestone schedule in its Ka-band authorization. See In the Matter of KaStarCom World Satellite, LLC, Application for Modification of Authority to Construct, Launch and Operate a Ka-band Satellite System in the Fixed-Satellite Service, SAT-MOD-20020620-00093 (filed June 20, 2002).

An application related to the WB Holdings Application was filed requesting approval to transfer control of earth station authorizations. See File No. SES-T/C-20021226-02209, Public Notice, Report No. SES-00462, January 10, 2003. This application is also granted today. Notification of this action will be made public next week in the Actions Taken Public Notice.

For information regarding this notice contact the Satellite Division at (202) 418-0719, TTY (202) 418-2555.

This Public Notice is issued by the Chief, Satellite Division, International Bureau.